

REMARKS

Claims 1-20 are pending in this application.

The subject matter of new claims 19 and 20 is supported in the original disclosure at, for example, page 5, line 17, page 7, line 13, and page 8, formula (b1) and (b3). Accordingly, approval and entry of the new claims are respectfully requested.

In response to the restriction requirement set forth in Office Action dated June 30, 2005, Applicant hereby elects with traverse Group I, containing claims 1-3, drawn to compounds of formula (I). Applicant respectfully submits that new claims 19 and 20 read on the elected group.

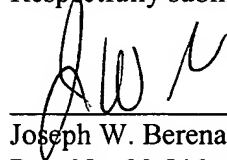
Applicant respectfully submits that the restriction requirement is misplaced. A restriction requirement is improper unless the following two criteria are met: (1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the examiner. MPEP § 803.

Although the Office Action sets forth the Examiner's rationale with regard to why he believes the inventions are independent or distinct, Applicant respectfully submits that the Examiner has not provided any proof of serious burden that would exist absent the restriction. Further, Applicant points out that the restricted process claims 15-18 each depend from claim 1 of Group I. Thus, a classification search of the elected compound claims of Group I likely will overlap with a classification search of the non-elected process claims of Group III. In view of the overlapping search fields and the absence of explanation in the Office Action of why prosecuting all of the claims together would impose a serious burden on the Examiner, Applicant respectfully submits that this second criterion is not met. Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicant respectfully submits that this response has been filed within the one-month shortened statutory response period. If any fees (e.g., extension, claims, etc.) are due in connection with the filing of this Election with traverse, please charge Deposit Account No. 50-0548 and accept this paper as a petition for extension, if necessary.

If, after reviewing the above amendments and remarks, the Examiner believes that any issues remain unresolved, the Examiner is respectfully requested to contact the undersigned, by telephone, to schedule an interview to address such issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JWB', is written over a horizontal line.

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